



7/ Election  
PATENT  
2/2003

Customer No. 22,852  
Attorney Docket No. 04329.2555

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Hiroshi NOMURA ) Group Art Unit: 2877  
)  
Serial No.: 09/816,164 ) Examiner: Gordon J. Stock, Jr.  
)  
Filed: March 26, 2001 )  
)  
For: METHOD OF MEASURING )  
DISPLACEMENT OF OPTICAL )  
AXIS, OPTICAL MICROSCOPE )  
AND EVALUATION MARK )

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated January 14, 2003, the period for response to which extends for one month thereafter, the Examiner required restriction under 35 U.S.C. § 121 between Group I, Claims 1-11 characterized by the Examiner as being drawn to a method of measuring a displacement of the optical axis of an optical microscope and an optical microscope; and Group II, Claims 12-14 characterized by the Examiner as being drawn to an evaluation mark. Applicants provisionally elect to prosecute Group 1, Claims 1-11.

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Please grant any extensions of time required to enter this response and charge  
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 14, 2003

By: Tara L. Bleech  
Tara L. Bleech  
Reg. No. 46,559

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